

### REMARKS

In the Office Action of March 26, 2004, claims 56-64 were examined, and rejected.

Claims 65 and 66 were added by a Supplemental Amendment that also was mailed on March 26, 2001. Accordingly, claims 65 and 66 were not examined.

Herein, claims 56, 58, and 63 are amended, and claims 67-72 are added.

#### **A. Claim Objections**

Claim 63 was objected to as having an improper dependency. Claim 63 is amended to overcome the objection.

#### **B. Rejection of Claims 56 and 58-64**

Claims 56 and 58-64 were rejected under 35 U.S.C. 102(b) as anticipated by U.S. Pat. 5,808,981 to Suzuki.

Initially, it is submitted that Suzuki is not prior art under 35 U.S.C. 102(b), because the claims are supported by the present applicant's disclosure in parent application 09/113,783, which was filed on July 10, 1998, and issued as U.S. Pat. 6,131,816. In this regard, see Figs. 1-6B of the '816 patent (previously submitted), and the associated discussion thereof.

Regardless, Suzuki does not anticipate the claims, because in all of Suzuki's examples that include a data card, the data card has an optical recording medium. Suzuki mentions "the magnetic method" at col. 1, line 19, but not in the context of a data card, and not in any of the examples that he subsequently describes.

In other words, claims 56 and 58 are not anticipated because Suzuki does not disclose the following steps of claims 56 and 58:



providing a data card including a magnetic material;

inserting the data card into a data unit, wherein the data unit includes a data head operable to communicate signals with the magnetic material of the data card.

Claims 59-64 depend on claim 58, and are not anticipated for at least the same reasons as claim 58.

**C. Rejection of Claim 57**

Claim 57 was rejected under 35 U.S.C. 103(a) as obvious over Suzuki in view of U.S. Patent 4,006,507 to Yoshida. The rejection is traversed on grounds that a prima facie case of obviousness has not been presented, for the same reasons stated above for claim 56, on which claim 57 depends.

**D. Unexamined Claims 65 and 66**

These claims, which were added in a Supplemental Amendment mailed on March 26, 2001, include features of a "data card comprising magnetic material" and "a data head operable to communicate signals with the magnetic material of the data card," similar to claims 56 and 58, and hence also are not anticipated or rendered obvious by Suzuki.

**E. New Claims 67-72**

Dependent claims 67-72 are added. No new matter is added.

Claims 67 and 70 are supported at page 13, line 16 et seq. Claims 68 and 71 are supported at page 22, lines 1-2. Claims 69 and 72 are supported at page 22, lines 2-4.



**F. Related Applications**

The undersigned cites the Examiner to two related co-pending applications, nos. 09/654,542 and 09/663,659, which claim priority to the same parent application.



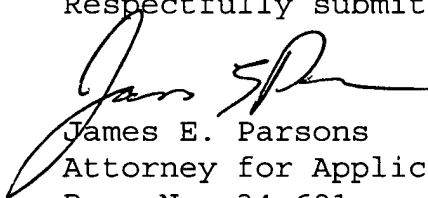
CONCLUSION

It is submitted that the rejections of all of the previously-examined claims must be withdrawn.

If there are any questions, please telephone the undersigned at (408) 451-5906 to expedite prosecution of this case.

Respectfully submitted,

Customer No.: 022888

  
James E. Parsons  
Attorney for Applicant  
Reg. No. 34,691

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